REMARKS

In the Official Action mailed on **20 March 2008**, the Examiner reviewed claims 1-40. Restriction to one of the following inventions is required under 35 U.S.C. § 121.

    I.   Claims 1-40, drawn to a tax determining method comprising examining a set of conditions, classified in class 705, subclass 30.

    II.   Claim 41, drawn to a system tax, processing comprising a retrieval mechanism, classified in 705, subclass 19.

In addition, Examiner objected to claims 1-40 under 37 C.F.R. § 1.126. Examiner rejected claims 1-40 under 35 U.S.C. § 101. Examiner rejected claims 3-5, 8-9, 18-20, 29, and 38-40 under 35 U.S.C. § 112. Examiner rejected claims 1-40 under 35 U.S.C. § 102(b) based on Maritzen et al. (U.S. Patent No. 5,987,429, hereinafter "Maritzen").

Restriction Requirement

Applicant hereby elects invention **I** for examination without traverse. Claims 1-40 read on invention I. Claim 41 (original numbering, see below under Objections to the Claims) has been cancelled without prejudice.

Objections to the Claims

Examiner objected to claims 1-40 under 37 C.F.R. § 1.126. Claims 8-40 have been renumbered as pointed out by the Examiner.

Rejections under 35 U.S.C. § 101

Examiner rejected claims 1-40 under 35 U.S.C. § 101. Applicant has amended claims 1 and 21, replacing the term "if" in the claim language with the

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term "when", and respectfully submits that this overcomes the rejection under 35 U.S.C. § 101.

Rejections under 35 U.S.C. § 112

Examiner rejected claims 3-5, 8-9, 18-20, 29, and 38-40 under 35 U.S.C. § 112. Applicant has amended claims 3-5, 8-9, 18-20, and 38-40, correcting the claim language, and correcting antecedent bases as pointed by the Examiner. Applicant respectfully submits that the amendments overcome the rejections under 35 U.S.C. § 112.

Rejections under 35 U.S.C. § 102

Examiner rejected claims 1-40 under 35 U.S.C. § 102(b) based on Maritzen et al. (U.S. Patent No. 5,987,429, hereinafter "Maritzen"). Applicant respectfully disagrees. Specifically, Maritzen discloses a fee database that "includes rules for fees charged against transactions where the fees are peculiar to the seller" (see Maritzen, col. 6, lines 18-20). Maritzen goes on to further disclose that the "seller could create and update the fee rule database and download it to the service provider. Alternatively, the seller could notify the service provider of the fee rules and fee rule changes, and the service provider would maintain the fee rule database" (See Maritzen, col. 6, lines 26-30). The system of **Maritzen relies on a specific set of rules that are maintained in the fee rule database**

In contrast, embodiments of the present invention use configurable templates. Thus, a tax authority for a tax regime promulgates a set of tax authority rules. These are abstracted, and used to construct configurable templates and stored as a set of driver templates in the system. A **system user explicitly configures a configurable template by including those drivers, i.e., attributes, that are deemed necessary to facilitate the efficient configuration and**

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reusability of that template for various tax rules (see paragraph [00121] and paragraph [00128], lines 11-15 of the specification). The system **derives the actual applicable tax rules from this stored configurable template** (see paragraphs [0010], [0080], [00112]-[00113], [00117], and [00120]-[00121] as well as FIG. 8, items 804, 806, and 807 of the specification). The system uses the configurable template to then determine the actual taxes for a transaction.

There is nothing in the system of Maritzen, either explicit or implicit, that discloses the use of **configurable** templates that <u>represent abstracted tax authority rules, and from which the system may then build the required specific tax rules</u>.

Accordingly, Applicant has amended independent claims 1 and 21 to clarify that the configurable template has been configured by a system user to include drivers deemed necessary to facilitate the configuration and reusability of the configurable template in the tax rules. The amendments also clarify that the drivers are the attributes associated with the transaction, and that the tax rule is produced by the computer system using the configurable template from abstracted tax authority rules. This finds support in paragraphs [0010], [0080], [00112]-[00113], [00120]-[00121], and [00128] as well as FIG. 8, items 804, 806 and 807 of the specification.

Hence, Applicant respectfully submits that independent claims 1 and 21 as presently amended are in condition for allowance. Applicant also submits that claims 2-20, which depend upon claim 1 and claims 22-41, which depend upon claim 40, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

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CONCLUSION

It is submitted that the application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

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